

REMARKS

In response to the Notice of Allowance dated February 23, 2011, and in support of the Amendment and Request for Continued Examination filed herewith, claims 66, 67, 70, 71, 73, 74, 77, 78, 83, 84 and 85 have been amended. Claims 66-85 are now pending in the application.

Previously Banker, Hoarty and Palazzi were cited against the claims.

Applicant respectfully submits that new independent claims 66, 73, 83 and 85 are patentable over the cited references because the cited references, alone or in combination, fail to disclose, teach or suggest an upgrade interface configured for coupling to an expansion card interface of a set top terminal for communicating with the set top terminal and providing data to the set top terminal and a hardware upgrade microprocessor, coupled to the upgrade interface, the hardware upgrade microprocessor configured for communicating with the set top terminal through the upgrade interface.

The previously cited references merely showed a second microprocessor that executed programs for providing additional functions. The previously cited references failed to suggest the hardware upgrade processor providing enhanced functions to the set top terminal through communication with the set top terminal using the upgrade interface.

Dependent claims 67-72, 74-82 and 84 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 66, 73, 83, respectively. Further dependent claims 67-72, 74-82 and 84 recite additional novel elements and limitations. Applicant reserves the right to argue independently the

patentability of these additional novel aspects. Therefore, Applicant respectfully submits that dependent claims 67-72, 74-82 and 84 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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